

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3 and 5-24 are pending in the present application; Claims 4, 25, and 26 having been canceled and Claims 1-3 and 5-24 having been amended by way of the present amendment.

In the outstanding Office Action, the disclosure was objected to, the claims were objected to, Claims 1, 2, 8, 12, 18, 25 and 26 were rejected under 35 U.S.C. § 102(b) as being anticipated by Takashima et al. (U.S. 6,366,755), Claim 3 was rejected under 35 U.S.C. § 103 as being unpatentable over Takashima et al. in view of Matsuoka et al. (U.S. 5,890,040), Claims 4-6, 10 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Takashima et al. in view of Otsuka et al. (U.S. 5,774,773) and Nakajima (U.S. 5,722,019), Claims 9 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Takashima et al. in view of Otsuka et al., Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Takashima et al. in view of Kitayama et al. (U.S. 5,754,916), Claim 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Takashima in view of Kinoshita (JP 2002-268295), and the subject matter of Claims 7, 11, 15 and 19-24 was indicated as being allowable.

The disclosure was objected to. In response to this objection, the disclosure has been reviewed and the changes suggested by the Examiner have been made.

The claims were objected to. In response to this objection, the claims have been reviewed and the objections raised by the outstanding Office Action have been corrected. Moreover, the claims have been amended to recite the invention using appropriate language.

Accordingly, the objection to the specification is respectfully requested to be withdrawn.

Claims 1, 2, 8, 12, 18, 25 and 26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Takashima et al. (U.S. 6,366,755). This rejection is respectfully traversed.

Claim 1 has been amended to recite that the toner container includes a toner storing body and a cap rotatably affixed to the toner storing body. The cap includes an opening. There is a toner container holder which is configured to hold the toner container. The toner container fixedly holds the cap while allowing the toner container body to rotate in order to dispense fresh toner from the container body through the opening of the cap. This combination of features, including the other recited elements of Claim 1, is neither disclosed nor suggested by any prior art of record.

The outstanding Office Action states that Takashima et al. discloses a toner storing body which is configured to convey the stored toner in a preselected direction when rotated and is rotatable relative to a support member, and refers to column 9, lines 9-25 of Takashima et al. However, there is no arrangement of a cap and container body, as recited in the claims, in which the container body rotates in order to dispense fresh toner while the cap is fixedly held.

As the combination reciting Claim 1 is neither disclosed nor suggested by any prior art of record, Claim 1 and each of the claims depending therefrom is allowable and each of the rejections in view of the prior art is respectfully requested to be withdrawn.

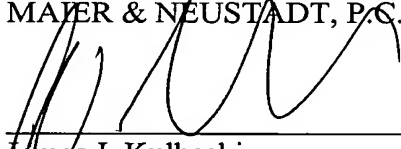
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)



James J. Kulbaski
Attorney of Record
Registration No. 34,648